

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0211 – The Waters at Bluff Springs **Z.A.P. DATE:** November 4, 2008

ADDRESS: 7707 South IH-35 Service Road Northbound

OWNER: Waters at Bluff Springs, L.L.C.
(Carol McBride)

AGENT: Jim Bennett Consulting
(Jim Bennett)

ZONING FROM: I-RR; GR **TO:** MF-4 **AREA:** 30.036 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence (moderate high density) – conditional overlay (MF-4-CO) combining district zoning. The Conditional Overlay limits 1) the height to 45 feet, and 2) the number of daily vehicle trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

November 4, 2008: *APPROVED MF-4-CO DISTRICT ZONING AS STAFF
RECOMMENDED, BY CONSENT.*

[K. JACKSON; D. TIEMANN – 2ND] (5-0) C. HAMMOND, R. EVANS – ABSENT

ISSUES:

The Applicant is in agreement with recommendation of the Zoning and Platting Commission.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot located on the northbound service road of IH-35 and does not have frontage on Bluff Springs Road. The IH-35 frontage is zoned GR by way of a 1988 case and the balance zoned interim-rural residence since annexation in December 2001. The site is presently developed with 300 apartment units and does not exceed 45 feet in height. There is undeveloped property to the north and south (I-RR; County), undeveloped land, single family residences and an automotive repair business on the east side of Bluff Springs Road (I-RR; SF-2; SF-4A-CO), and an office, undeveloped land and a class ring company across IH-35 to the west (SF-3; MF-4-CO; GR and LI). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant is seeking multi-family residence – moderate high density (MF-4) district which would account for the existing development. Staff recommends the Applicant's request based on the following considerations of the property: 1) there is multi-family residence zoning in proximity to this site; 2) a significant portion of the property is undevelopable due to the application of the critical water quality zones, water quality transition zones and setbacks from the pipelines; 3) the proposed height limit is compatible

with that allowed by the surrounding zonings; and 4) the property fronts on a major arterial roadway. The Conditional Overlay also limits the property to 2,000 vehicle trips per day.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR; I-RR	Apartments
<i>North</i>	I-RR	Undeveloped
<i>South</i>	N/A – County	Undeveloped
<i>East</i>	I-RR	Across Bluff Springs Road: Undeveloped; Single family residences; Automotive repair
<i>West</i>	West of IH-35: LI; MF-4-CO; SF-2; SF-3; GR	Class ring company; Cemetery; Undeveloped

AREA STUDY: N/A

TIA: Is not required

WATERSHED: South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 96 – Southeast Corner Alliance of Neighborhoods
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 430 – Silverstone Neighborhood Association
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 646 – Circle S Ridge Neighborhood Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1113 – Austin Parks Foundation

SCHOOLS:

Perez Elementary School

Paredes Middle School

Akins High School

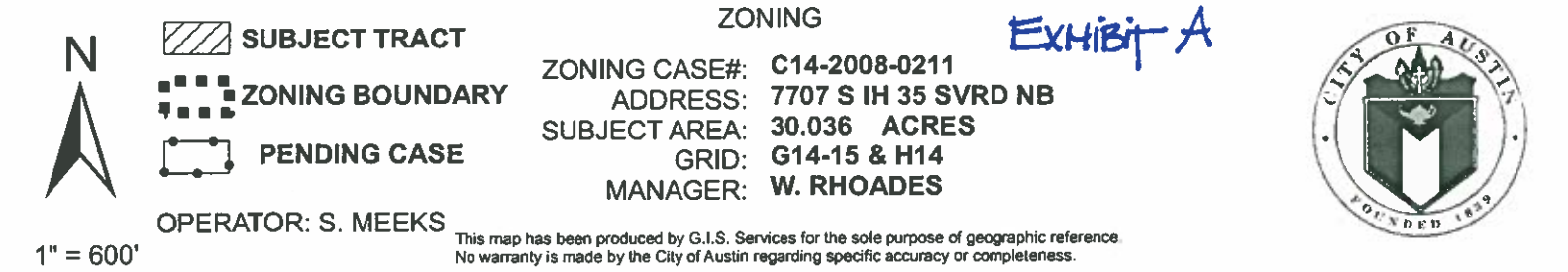
CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0032 – Verde Ladera – 7312, 7340, 7420, 7520 and 7700 IH-	LI to MF-4-CO	To Grant MF-4-CO with the CO for a height limit of 45' and 2,000 trips	Approved MF-4-CO as ZAP recommended (8-23-07).

35 Service Road Southbound			
C2-66-001 (RCA) – Verde Ladera – 7312, 7340, 7420, 7520 and 7700 IH-35 Service Road Southbound	A Restrictive Covenant Amendment to remove the rezoning area from the Restrictive Covenant that prohibits residential uses on this property	To Grant an amendment to terminate the Restrictive Covenant as it applies to the subject property	Approved (8-23-07).
C14-04-0128 – 7501 Conn – 7501 South IH-35 Service Road Northbound	I-RR to GR	To Grant GR-CO with the CO prohibiting building openings for access purposes other than emergency access from facing the east property line, and limiting development to 2,000 trips per day.	Approved GR-CO with the CO for vehicle trips and an RC for access and (10-7-04).
C14-03-0127 – Gas Auto Wholesale – 8113 South IH-35 Service Road Northbound	GO to CS	To Grant CS-CO	Approved GR-CO with CO for 2,000 trips (10-2-03).
C14-93-0086 – Leon's South – 7111 South IH-35 Service Road Northbound	SF-2 to LI	To Grant CS-CO	Approved CS-CO with CO restricting general retail sales (general) to 20,200 square feet; and prohibiting restaurant (general) (limited) and (fast food); food sales and financial services (9-2-93)
C14-87-108 – Wagner & Brown – 8000 Block of South IH-35	SF-2 to GO	To Grant GO	Approved GO (3-17-88)

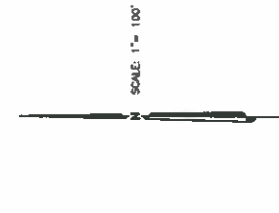
RELATED CASES:

A zoning change from SF-2 to GR was approved by City Council on September 29, 1988 (C14-88-0081 – M Triple M Subdivision).





THE WATERS AT BLUFF SPRINGS



- LEGEND**
- 1/2" REBAR FOUND
 - 1/2" REBAR W/CAP SET
 - IRON PIPE FOUND (SIZE NOTED)
 - 100FT TYPE # DRK FOUND
 - CONC. HIGHWAY MON. FOUND
 - CALCULATED POINT
 - PROPOSED SIDEWALK

BEARING BASE: GRID AZIMUTH FOR THE TEXAS CENTRAL ZONE, MAD 1983/83

Lot 1 Resubdivided
3/18/2005
See plat # 12299

SOUTH AUSTIN LAND ASSOCIATES
11111 N. 100TH ST.
SUITE 100
DALLAS, TEXAS 75244
VOL. 8231, PG. 932 T.C.D.R.

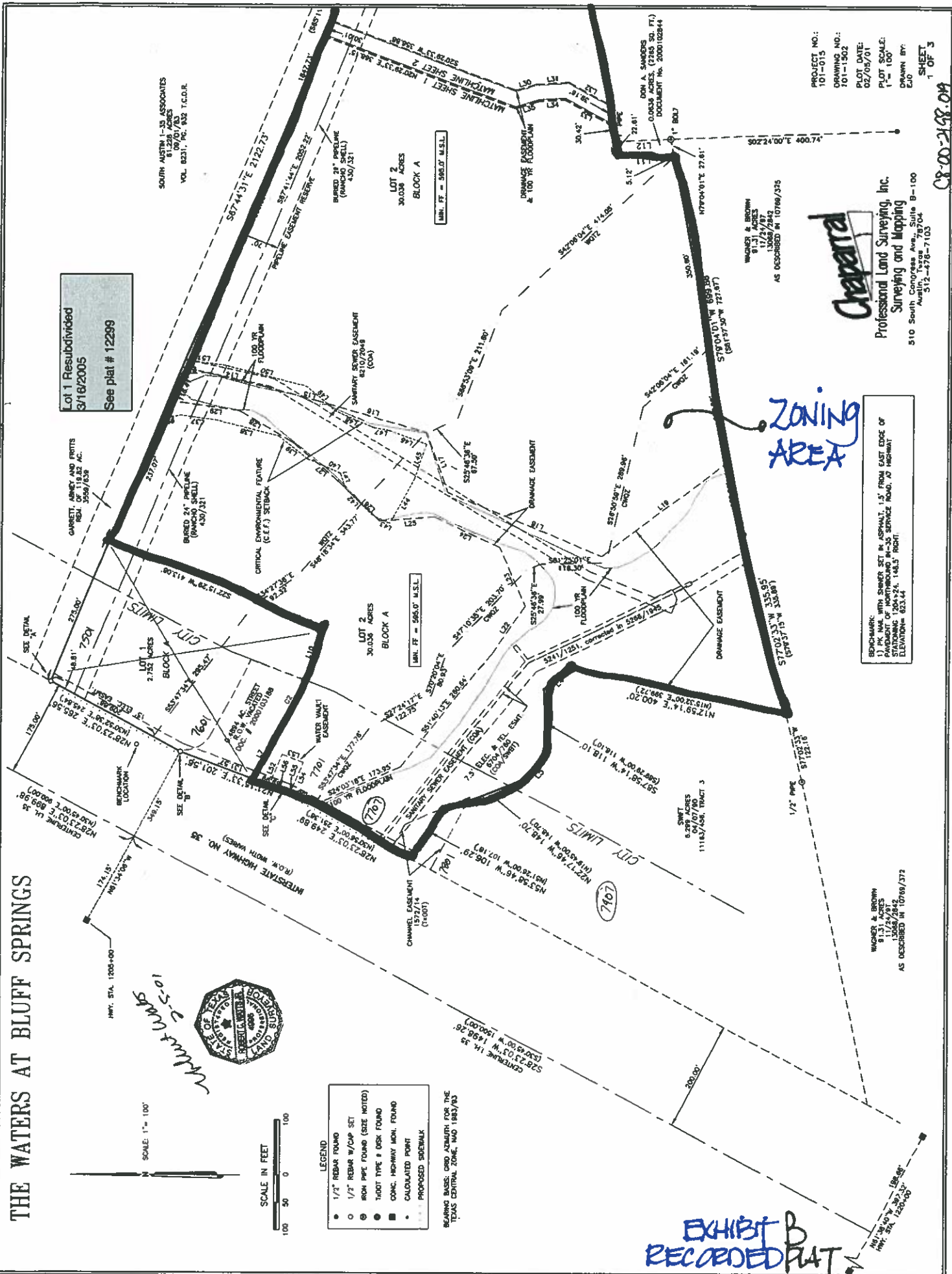
PROJECT NO.: 101-015
DRAWING NO.: 101-1502
PLOT DATE: 02/05/01
PLOT SCALE: 1" = 100'
DRAWN BY: EJO
SHEET 1 OF 3

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
510 South Congress Ave., Suite B-100
Austin, Texas 78704
512-496-7103

BENCHMARK:
1) PK. NAIL WITH SINKER SET IN ASPHALT, 1.5' FROM EAST EDGE OF
STATIONING, 11163.458, 1463.100, 1463.100
ELEVATION: 623.44

ZONING AREA

**EXHIBIT B
RECORDED PLAT**



SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence (moderate high density) – conditional overlay (MF-4-CO) combining district zoning. The Conditional Overlay limits 1) the height to 45 feet, and 2) the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The multi-family residence – moderate / high density (MF-4) district is intended for residential and multi-family use with a maximum density of up to 54 units per acre, depending on unit size and mix. This district is appropriate for multi-family residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas. The property has frontage on the northbound service road of IH-35.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

Staff recommends the Applicant's request based on the following considerations of the property: 1) there is multi-family residence zoning in proximity to this site; 2) a significant portion of the property is undevelopable due to the application of the critical water quality zones, water quality transition zones and setbacks from the pipelines; 3) the proposed height limit is compatible with that allowed by the surrounding zonings; and 4) the property fronts on a major arterial roadway. The Conditional Overlay also limits the property to 2,000 vehicle trips per day.

EXISTING CONDITIONS**Site Characteristics**

The subject property is developed with 300 apartment units. Drainage easements extend in a north-south direction through east side of the site as well as a portion of west side of the site. There is a 70-foot wide pipeline easement along the north property line.

Impervious Cover

The maximum impervious cover allowed by the MF-4 district would be 60% and the amount of impervious cover shown on the approved site plan is 29.6%. The watershed impervious cover listed below is more restrictive than the zoning district's allowable impervious cover, and therefore, the impervious cover is limited by the watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the South Boggy Creek Watershed of the Colorado River

Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

The site is located within the endangered species survey area.

Transportation

Additional right-of-way may be required at the time of site plan application.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater

utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

This a site plan is currently developed with multi-family uses along with associated parking and drainage facilities, under SP-00-2386D which provides for approximately 30% impervious cover.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Any new development is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

Any new development would be subject to the Hazardous Pipeline Ordinance. Development in a restricted pipeline area is regulated by Sec. 25-2-516. Before a person may place a road, surface parking lot, or utility line in a restricted pipeline area, the person must deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the pipeline or impeding its operation.